

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chairman Joe Balyeat, on February 17, 2009 at 9 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chairman (R)
Sen. Verdell Jackson, Vice Chairman (R)
Sen. Gregory D. Barkus (R)
Sen. Jim Keane (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: Sen. Roy Brown (R)
Sen. Jim Peterson (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Jonathan Windy Boy (D)

Members Absent: None.

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 395, SB 393, SB 375, SB 389,
2/9/2009

Executive Action: SB 122, SB 375, SB 393, SB 395,
SB 410, SB 356

HEARING ON SB 395

Opening Statement by Sponsor:

00:01:02 Sen. Kelly Gebhardt (R), SD 23, opened the hearing on
SB 395, Clarify beer franchise laws.

EXHIBIT(bus37a01)

Proponents' Testimony:

00:04:09 Kristi Blazer, Montana Beer and Wine Distributors
Association

EXHIBIT(bus37a02)

00:10:49 Sen. Stewart-Peregoy arrived.

00:11:32 Mark Johnston, partner, Sandy Mac's Distributing

00:11:51 Trevor MacDonald, partner, Sandy Mac's Distributing

00:12:06 Mark Taylor, Anheuser-Busch Companies

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:13:43 Chairman Balyeat

00:14:04 Kristi Blazer

00:14:46 Sen. Jackson

00:15:31 Kristi Blazer

00:16:13 Sen. Brown arrived.

00:19:21 Sen. Barkus

00:23:16 Kristi Blazer

Closing by Sponsor:

00:23:31 Sen. Gebhardt

00:24:08 Chairman Balyeat

HEARING ON SB 393

Opening Statement by Sponsor:

00:24:15 Sen. Donald Steinbeisser (R), SD 19, opened the hearing
on SB 393, Revise salvage motor vehicle title law.

Proponents' Testimony:

00:25:36 Greg VanHorssen, State Farm Insurance Company
00:27:36 Ernie Hebert, Auto Claims Manager, State Farm Insurance
Company
00:30:12 Bruce Spencer, Property Casualty Insurers, Montana
Automobile Dealers Association

00:32:47 Sen. Peterson arrived.

00:33:30 Jacqueline Lenmark, American Insurance Association
00:33:53 Jon Metropolis, Farmers Insurance Group

Opponents' Testimony:

Informational Testimony:

00:34:25 Brenda Nordlund, acting Administrator, Motor Vehicle
Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:34:49 Sen. Jackson
00:36:35 Bruce Spencer
00:37:48 Sen. Keane
00:41:36 Brenda Nordlund
00:42:10 Sen. Barkus
00:44:57 Bruce Spencer
00:45:25 Sen. Tropila
00:46:17 Brenda Nordlund
00:46:37 Chairman Balyeat
00:49:53 Brenda Nordlund
00:50:31 Sen. Keane
00:50:42 Brenda Nordlund
00:51:00 Sen. Keane
00:53:14 Greg VanHorssen
00:53:32 Chairman Balyeat

Closing by Sponsor:

00:53:41 Sen. Steinbeisser

HEARING ON SB 375

Opening Statement by Sponsor:

00:54:32 Sen. Jim Peterson (R), SD 15, opened the hearing on SB
375, Prohibit real property insurance in amount greater
than value of improvements.

Proponents' Testimony:

00:57:15 Brian Coleman, Farmers Insurance Agent
01:00:05 Dwight Easton, Farmers Insurance
01:02:23 Bruce Spencer, Property Casualty Insurance Association
01:03:28 Jacqueline Lenmark, American Insurance Association
01:03:40 Greg VanHorssen, State Farm Insurance

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:04:09 Sen. Barkus
01:04:26 Sen. Peterson

Closing by Sponsor:

01:05:26 Sen. Peterson
[EXHIBIT \(bus37a03\)](#)

HEARING ON SB 389

Opening Statement by Sponsor:

01:06:52 Sen. Carolyn Squires (D), SD 48, opened the hearing on
SB 389, Revise regulation of combative events increase
tax on purses.
[EXHIBIT \(bus37a04\)](#)

Proponents' Testimony:

01:13:11 Roger Lloyd, self, Helena

Opponents' Testimony: None

Informational Testimony:

01:20:30 Wayne Johnston, Executive Officer, Montana Athletic
Program

Questions from Committee Members and Responses:

01:21:01 Chairman Balyeat
01:21:44 Wayne Johnston
01:22:15 Sen. Squires
01:22:35 Wayne Johnston
01:23:21 Chairman Balyeat

01:24:03 Sen. Squires
01:24:44 Wayne Johnston
01:26:11 Chairman Balyeat
01:28:26 Wayne Johnston
01:28:31 Sen. Jackson
01:29:16 Roger Lloyd
01:31:33 Chairman Balyeat
01:31:38 Roger Lloyd

Closing by Sponsor:

01:32:09 Sen. Squires

01:33:25 Chairman Balyeat
01:33:35 Sen. Keane

01:34:10 Recess
01:45:48 Resume

EXECUTIVE ACTION ON SB 122

01:45:53 **Motion/Vote:** Sen. Keane moved **TO TABLE SB 122**. Motion carried unanimously 11-0 by voice vote. Sen. Peterson and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 410

01:46:45 **Motion:** Sen. Keane moved **SB 410 DO PASS**.

Discussion:

01:47:01 Sen. Brown
01:47:40 Sen. Keane
01:47:57 Chairman Balyeat
01:48:10 Sen. Squires
01:48:49 Sen. Stewart-Peregoy
01:49:07 Sen. Barkus
01:49:36 Chairman Balyeat
01:50:09 Sen. Stewart-Peregoy
01:50:21 Chairman Balyeat
01:50:30 Sen. Keane
01:50:37 Chairman Balyeat

01:51:23 **Vote:** Motion failed 1-10 by roll call vote. Chairman Balyeat voted aye. Sen. Peterson and Sen. Windy Boy voted by proxy.

01:52:30 **Motion/Vote:** Chairman Balyeat moved that **SB 410 BE TABLED AND THE VOTE REVERSED**. Without objection, the vote was reversed and the bill was tabled by unanimous agreement of those present.

EXECUTIVE ACTION ON SB 356

01:52:50 **Motion:** Sen. Keane moved **SB 356 DO PASS**.

01:53:15 **Motion/Vote:** Chairman Balyeat moved **TO AMEND SB 356**. Motion carried unanimously 11-0 by voice vote. Sen. Windy Boy and Sen. Peterson voted by proxy.

EXHIBIT (bus37a05)

01:55:17 Sen. Brown moved **TO FURTHER AMEND SB 356**.

EXHIBIT (bus37a06)

Discussion:

01:55:31 Sen. Brown

01:55:43 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Windy Boy and Sen. Peterson voted by proxy.

01:55:52 **Motion/Vote:** Sen. Keane moved **SB 356 DO PASS AS AMENDED**. Motion carried 9-2 by voice vote. Chairman Balyeat and Sen. Barkus voted no. Sen. Peterson and Sen. Windy Boy voted by proxy.

01:56:57 Sen. Balyeat

01:57:03 Sen. Keane

EXECUTIVE ACTION ON SB 375

01:57:21 **Motion:** Sen. Keane moved **SB 375 DO PASS**.

Discussion:

01:57:48 Sen. Barkus

01:58:19 Chairman Balyeat

01:58:59 Sen. Barkus

01:59:09 Sen. Brown

01:59:29 Chairman Balyeat

01:59:40 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Windy Boy and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 393

02:00:36 **Motion:** Sen. Steinbeisser moved **SB 393 DO PASS.**

Discussion:

02:00:51 Sen. Barkus
02:01:06 Pat Murdo
02:01:11 Chairman Balyeat
02:01:15 Sen. Keane
02:02:21 Chairman Balyeat
02:02:25 Sen. Steinbeisser
02:02:37 Chairman Balyeat
02:03:36 Sen. Barkus
02:04:14 Pat Murdo
02:05:17 Chairman Balyeat
02:05:21 Sen. Steinbeisser
02:05:27 Pat Murdo
02:05:31 Sen. Barkus
02:07:11 Sen. Steinbeisser
02:07:41 Chairman Balyeat
02:07:55 Sen. Barkus
02:08:41 Sen. Brown
02:08:52 Sen. Keane
02:09:05 Chairman Balyeat
02:09:15 Sen. Keane

Note: While Sen. Balyeat was explaining SB 393, Sen. Keane moved to Table it. Sen. Balyeat did not acknowledge the Table motion until after he had finished.

02:10:08 **Motion/Vote:** Sen. Keane moved **TO TABLE SB 393.** Motion carried 9-2 by roll call vote. Sen. Steinbeisser and Sen. Jackson voted no. Sen. Peterson and Sen. Windy Boy voted by proxy.

EXECUTIVE ACTION ON SB 395

02:11:45 **Motion:** Sen. Barkus moved **SB 395 DO PASS.**

Discussion:

02:12:01 Sen. Barkus
02:12:20 **Vote:** Motion carried unanimously 11-0 by voice vote. Sen. Peterson and Sen. Windy Boy voted by proxy.
02:13:07 Sen. Barkus
02:13:16 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:15 A.M.

Linda Keim, Secretary

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Additional Documents:

EXHIBIT ([bus37aad.pdf](#))